

## REMARKS

Claim 1 stands rejected under 35 USC §112 second paragraph as being indefinite with respect to the limitation "said needle assembly" in paragraph (f). By way of the above amendment, Applicant has provided sufficient antecedent basis to this term and respectfully submits that the rejection is traversed.

With respect to the Examiner's comments in paragraph 4, Applicant would like to direct the Examiner's attention that as best seen in reference to Figure 1, base 4 is in contact with the support member 21. Base 4 and support member 21 are adapted for sliding engagement along with the base mounted needle hub 2. In reference to one operative embodiment as seen in reference to Figures 15 through 24, base 4, support member 19, and the associated portion of needle hub 2 are moved in a forward direction toward the syringe tip. As the sliding base 4, support member 21, and base portion of needle hub 2 are pressed forward, the spring 10 is further compressed until a sufficient triggering force is released, projecting the needle hub assembly and associated needle into a hollow of the plunger. As amended, Applicant respectfully submits that claim 1 clearly sets forth the structures and interrelationship.

Claims 1-4, 6-12, and 15 are rejected under 35 USC §102(b) as being anticipated by Redfern et al '034. Applicant respectfully submits that Redfern fails to teach a moveable base capable of slideable movement which constrains therein the needle hub. The Redfern reference number 28 does not meet the present claim limitation directed to the "moveable base". Applicant's claim language now makes clear that the moveable base is adapted for movement in the direction of the first end of the barrel. Additionally, the Redfern reference fails to teach support member engaging the moveable base as set forth in Applicant's claim 1.

Additionally, claim 1 now has limitations directed to the at least one support member such that the support member surrounds an axial portion of both the needle hub and the partially compressed spring. Redfern fails to teach this aspect of Applicant's invention. Accordingly, Applicant respectfully submits that claim 1 is allowable over Redfern.

Dependent claims 9 and 13 have also been amended to further clarify and set forth the positions and interactions of the syringe components. For the reasons addressed above in claim 1, it is respectfully submitted that similar limitations present in claim 9 and claim 13 distinguish over the Redfern reference.

Dependent claims 2-4, 6-8, 10-12, 15, and 16 are believed allowable for at least the reason that they depend from allowable independent claims.

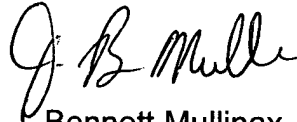
Claims 1-13, 15, and 16 stand rejected under 35 USC §102(b) as being anticipated by Pressly Sr., et al '952. In view of the amendment and comments discussed above, Applicant respectfully submits that independent claims 1, 9, and 13 are now directed to a syringe and/or process for forming a syringe in which both a moveable base and an adjacent moveable support or support member undergo coordinated movement within an interior of a barrel. The moveable base is used to mate the needle assembly within the hollow barrel. Further, the support member is positioned alongside an axial portion of the needle assembly containing at least a portion of the engaging means/spring. This claimed structure is fundamentally different from the structure and operation set forth in the Pressly '952 patent. As seen in the Pressly '952 reference, various support members therein are not associated with the compressed spring in the safety syringe's original, dispensing state. Accordingly, Applicant respectfully submits that the independent claims 1, 9, and 13 are not anticipated by Pressly '952.

Claims 2-8, 10-12, 15, and 16 depend either directly or indirectly from what is to be believed to be an allowable independent claim. For at least this reason, Applicant respectfully submits that the aforementioned dependent claims are also in condition for allowance.

It is respectfully submitted that the remarks set forth above, along with the claim amendments, clarify the structure and operation of the claimed subject matter. Applicant notes the Examiner has indicated that the prior language was found to be unclear and confusing. The Examiner is encouraged to contact the undersigned upon receipt of this Amendment if additional explanation, clarification, or discussion would prove helpful.

Please charge any additional fees required by this Amendment to Deposit  
Account No. 50-2802.

Respectfully submitted,  
ROBERTSON & MULLINAX, LLC

A handwritten signature in black ink, appearing to read "J. B. Mullinax". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

J. Bennett Mullinax  
Reg. No. 36,221